



VIRGINIA SEAFOOD COUNCIL • 76 Raleigh Rd. • Newport News, VA 23601 • (757) 595-6603 • Fax (757) 596-8771

Monday, January 31, 2004

Mr. Bill Sessions
Associate Deputy Administrator
USDA Marketing Service
1400 Independence Ave., SW
Room 2092
Washington, D. C. 20250

Dear Mr. Sessions:

The Virginia Seafood Council has just become aware of the consideration to redefine farm-raised fish in Sec.60.106 of the COOL legislation. Virginia Seafood Council is a trade association representing packers and processors, harvesters, and aquaculturists of Virginia seafood.

The Virginia Seafood Council does not support the proposed change. Many of our members shuck oysters from both public bottom and leased bottom and we regard each harvest as wild harvest. In our opinion, transferring seed oysters from public rocks to private rocks does not alter the oyster in any way. The grow out process is identical on either site. There is no introduction of nutrients and no use of protective measures on the leased grounds.

The new language will become a problem of dual labeling for the Virginia oyster industry since we process from public and private beds. Virginia processors purchased new packing containers in September 2004 in preparation for the COOL rules at considerable costs. It would be extremely labor-intensive and expensive to add stickers to the supplies on hand, in some cases more than a year's worth of containers.

In conclusion, VSC does not agree with the suggested new definition of farm-raised in Sec.60.106 and VSC cannot support the added costs to it members who have already complied with the COOL regulation.

If the Council can be of service to you, please contact me.

Sincerely,

Frances W. Porter

Frances W. Porter
Executive Director